

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 KIM M. SETTLES
Deputy Attorney General
4 State Bar No. 116945
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2138
Facsimile: (510) 622-2270
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No.

2011-780

13 **JEFFREY GRANT HEUSER**
2812 Yulupa Avenue
14 Santa Rosa, CA 95405
Registered Nurse License No. 390851

A C C U S A T I O N

15 Respondent.

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17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., R.N. (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing.

21 2. On or about January 1, 1985, the Board of Registered Nursing issued Registered
22 Nurse License Number 390851 to Jeffrey Grant Heuser (Respondent). The Registered Nurse
23 License will expire on December 31, 2012, unless renewed.

24 **JURISDICTION**

25 3. This Accusation is brought before the Board of Registered Nursing, under the
26 authority of the following laws. All section references are to the Business and Professions Code
27 unless otherwise indicated.

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4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

6. Section 118, subdivision (b) of the Code provides that the expiration of a license does not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued, or reinstated.

STATUTORY PROVISIONS

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

"(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions."

8. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

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1 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any
2 hospital, patient, or other record pertaining to the substances described in subdivision (a) of this
3 section."

4 **COST RECOVERY**

5 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
6 administrative law judge to direct a licensee found to have committed a violation or violations of
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case.

9 **DRUGS**

10 10. "Fentanyl" (brand name "Sublimaze") is a potent synthetic narcotic analgesic used
11 to treat chronic breakthrough pain. It is a Schedule II controlled substance pursuant to Health and
12 Safety Code section 11055, subdivision (c)(8) and a dangerous drug pursuant to Business and
13 Professions Code section 4022.

14 11 "Midazolam" HCl" (generic name "Versed") is an injectable sedative used to calm
15 and sedate children. It is a Schedule IV controlled substance pursuant to Health and Safety Code
16 section 11057, subdivision (d)(21) and a dangerous drug pursuant to Business and Professions
17 Code section 4022.

18 12. "Pyxis" is a computerized management, storage, and medication dispensing
19 system/machine. It is a medication cart/unit containing all medications used throughout a
20 hospital. Each Pyxis is linked to the main computer maintained by the Hospital's Pharmacy
21 Department where all Pyxis information is stored. Medical staff are given access to the Pyxis via
22 an assigned password selected by each medical employee,

23 **FIRST CAUSE FOR DISCIPLINE**

24 **(Grossly Incorrect and/or Grossly Inconsistent Entries in Patient Records)**

25 13. Respondent has subjected his license to disciplinary action under section 2761,
26 subdivision (a) on the grounds of unprofessional conduct, as defined in section 2762, subdivision
27 (e) in that on or about July 1, 2008, through September 20, 2008, while employed as a registered
28 nurse at Kaiser Medical Center, in San Jose, California, Respondent made grossly incorrect, or

grossly inconsistent entries in hospital and patient records pertaining to a controlled substance and/or dangerous drug in the following respects:

A. Patient A.M.¹

1. On July 1, 2008, at 11:13 a.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for patient A.M. when there was no physician's order for Fentanyl for this patient. Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

2. On July 1, 2008, at 11:13 a.m., Respondent withdrew from Pyxis 2 mg Versed for patient A.M. when there was no physician's order for Versed for this patient. Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

B. Patient M.H.

1. On July 2, 2008, at 9:12 a.m. and 9:39 a.m., Respondent withdrew from Pyxis 200 mcg Fentanyl and 100 mcg Fentanyl, respectively, for patient M.H. The physician's order was for 100 mcg Fentanyl. Respondent administered 100 mcg Fentanyl to the patient and wasted 200 mcg of Fentanyl, without a documented witness to the wastage.

2. On July 2, 2008, at 9:12 a.m., Respondent withdrew from Pyxis 2 mg Versed for patient M.H. The physician's order was for 1.5 mg Versed. Respondent administered 1.5 mg Versed to the patient and wasted 0.5 mg of Versed, without a documented witness to the wastage.

C. Patient E.R.

1. On July 3, 2008, at 5:08 p.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for patient E.R. when there was no physician's order for Fentanyl for this patient. Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

D. Patient S.H.

1. On July 3, 2008, at 11:16 a.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for patient S.H. The physician's order was for 25 mcg Fentanyl. Respondent administered 25 mcg Fentanyl to the patient and wasted 75 mcg of Fentanyl, without a documented witness to the wastage.

¹ The patient names will be released to Respondent pursuant to a request for discovery.

2. On July 3, 2008, at 11:16 a.m., Respondent withdrew from Pyxis 2 mg Versed for patient S.H. The physician's order was for 0.5 mg Versed. Respondent administered 0.5 mg Versed to the patient and wasted 1.5 mg of Versed, without a documented witness to the wastage.

E. Patient E.H.

1. On July 3, 2008, at 1:50 p.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for patient E.H. The physician's order was for 25 mcg Fentanyl. Respondent wasted 75 mcg of Fentanyl and failed to chart or otherwise account for the administration or wastage of 25 mcg of Fentanyl.

2. On July 3, 2008, at 1:50 p.m., Respondent withdrew from Pyxis 2 mg Versed for patient E.H. The physician's order was for .5 mg Versed. Respondent wasted 1.5 mg of Versed and failed to chart or otherwise account for the administration or wastage of 0.5 mg Versed.

F. Patient G.B.

1. On July 3, 2008, at 3:52 p.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for patient G.B. when there was no physician's order for Fentanyl for this patient. Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

2. On July 3, 2008, at 3:52 p.m., Respondent withdrew from Pyxis 2 mg Versed for patient G.B. when there was no physician's order for Versed for this patient. Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

G. Patient M.D.

1. On July 7, 2008, at 10:43 a.m., Respondent withdrew from Pyxis 200 mcg Fentanyl for patient M.D. The physician's order was for 75 mcg Fentanyl. Respondent administered 75 mcg Fentanyl to the patient and wasted 125 mcg of Fentanyl, without a documented witness to the wastage.

2. On July 7, 2008, at 10:44 a.m., Respondent withdrew from Pyxis 2 mg Versed for patient M.D. The physician's order was for 0.5 mg Versed. Respondent administered 0.5 mg Versed to the patient and wasted 1.5 mg of Versed, without a documented witness to the wastage.

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1 H. Patient J.D.

2 1. On July 7, 2008, at 1:24 p.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for
3 patient J.D. when there was no physician's order for Fentanyl for this patient. Respondent wasted
4 100 mcg of Fentanyl, without a documented witness to the wastage.

5 2. On July 7, 2008, at 1:24 p.m., Respondent withdrew from Pyxis 2 mg Versed for
6 patient J.D. when there was no physician's order for Versed for this patient. Respondent wasted 2
7 mg of Versed, without a documented witness to the wastage.

8 I. Patient K.L.

9 1. On July 8, 2008, at 11:35 a.m., Respondent withdrew from Pyxis 100 mcg Fentanyl
10 for patient K.L. The physician's order was for 50 mcg Fentanyl. Respondent administered 50
11 mcg Fentanyl to the patient and wasted 150 mcg of Fentanyl, without a documented witness to
12 the wastage.

13 2. On July 8, 2008, at 11:35 a.m., Respondent withdrew from Pyxis 2 mg Versed for
14 patient K.L. The physician's order was for 1 mg Versed. Respondent administered 1 mg Versed
15 to the patient and wasted 1 mg of Versed, without a documented witness to the wastage.

16 J. Patient J.L.

17 1. On July 8, 2008, Respondent withdrew from Pyxis 100 mcg Fentanyl for patient J.L.
18 when there was no physician's order for Fentanyl for this patient. Respondent wasted 100 mcg of
19 Fentanyl, without a documented witness to the wastage.

20 2. On July 18, 2008, at 10:45 a.m., Respondent withdrew from Pyxis 100 mcg Fentanyl
21 for patient J.L. when there was no physician's order for Fentanyl for this patient. Respondent
22 wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

23 K. Patient D.A.

24 1. On July 9, 2008, at 9:23 a.m., Respondent withdrew from Pyxis 200 mcg Fentanyl for
25 patient D.A. The physician's order was for 50 mcg Fentanyl. Respondent administered 50 mcg
26 Fentanyl to the patient and wasted 150 mcg of Fentanyl, without a documented witness to the
27 wastage.

28 2. On July 9, 2008, at 9:23 a.m., Respondent withdrew from Pyxis 4 mg Versed for

1 patient D.A. The physician's order was for 1 mg Versed. Respondent administered 1 mg Versed
2 to the patient and wasted 2 mg of Versed. Respondent failed chart or otherwise account for the
3 administration or wastage of 1 mg of Versed.

4 L. Patient F.L.

5 1. On July 10, 2008, Respondent withdrew from Pyxis 200 mcg Fentanyl for patient
6 F.L. The physician's order was for 50 mcg Fentanyl. Respondent administered 50 mcg Fentanyl
7 to the patient and wasted 150 mcg of Fentanyl, without a documented witness to the wastage.
8 Respondent did not exit out of Pyxis when he left the procedure.

9 2. On July 10, 2008, Respondent withdrew from Pyxis 2 mg Versed for patient F.L.
10 The physician's order was for 1 mg Versed. Respondent administered 1mg Versed to the patient
11 and wasted 1 mg of Versed, without a documented witness to the wastage.

12 3. On July 10, 2008, at 3:23 p.m., Respondent withdrew from Pyxis 200 mcg Fentanyl
13 for patient F.L. The physician's order was for 50 mcg Fentanyl. Respondent administered 50
14 mcg Fentanyl to the patient and wasted 150 mcg of Fentanyl, without a documented witness to
15 the wastage.

16 4. On July 10, 2008, at 3:24 p.m., Respondent withdrew from Pyxis 4 mg Versed for
17 patient F.L. The physician's order was for 2 mg Versed. Respondent administered 2 mg Versed
18 to the patient and wasted 2 mg of Versed, without a documented witness to the wastage..

19 M. Patient M.C.

20 1. On July 10, 2008, at 12:58 p.m., Respondent withdrew from Pyxis 100 mcg Fentanyl
21 for patient M.C. when there was no physician's order for Fentanyl for this patient. Respondent
22 wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

23 2. On July 10, 2008, at 12:58 p.m., Respondent withdrew from Pyxis 2 mg Versed for
24 patient M.C. when there was no physician's order for Versed for this patient. Respondent wasted
25 2 mg of Versed, without a documented witness to the wastage.

26 N. Patient A.H.

27 1. On July 17, 2008, at 10:50 a.m., Respondent withdrew from Pyxis 200 mcg Fentanyl
28 for patient A.H. The physician's order was for 25 mcg Fentanyl. Respondent administered 25

1 mcg Fentanyl to the patient and wasted 175 mcg of Fentanyl, without a documented witness to
2 the wastage.

3 2. On July 17, 2008, at 10:51 a.m., Respondent withdrew from Pyxis 2 mg Versed for
4 patient A.H. The physician's order was for 1 mg Versed. Respondent administered 1 mg Versed
5 to the patient and wasted 1 mg of Versed, without a documented witness to the wastage.

6 O. Patient R.V.

7 1. On July 17, 2008, at 1:32 p.m., Respondent withdrew from Pyxis 200 mcg Fentanyl
8 for patient R.V. The physician's order was for 25 mcg Fentanyl. Respondent administered 25
9 mcg Fentanyl to the patient and wasted 175 mcg of Fentanyl, without a documented witness to
10 the wastage.

11 2. On July 17, 2008, at 1:32 p.m., Respondent withdrew from Pyxis 2 mg Versed for
12 patient RV. The physician's order was for 1 mg Fentanyl. Respondent administered 1 mg
13 Versed to the patient and wasted 1 mg of Versed, without a documented witness to the wastage.

14 P. Patient D.P.

15 1. On or about July 22, 2008, at 1:09 p.m., Respondent withdrew from Pyxis 200 mcg
16 Fentanyl for patient D.P. The physician's order was for 50 mcg Fentanyl. Respondent
17 administered 50 mcg Fentanyl to the patient and wasted 150 mcg of Fentanyl, without a
18 documented witness to the wastage.

19 Q. Patient J.M.

20 1. On or about July 22, 2008, at 2:46 p.m., Respondent withdrew from Pyxis 100 mcg
21 Fentanyl for patient J.P. The physician's order was for 25 mcg Fentanyl. Respondent
22 administered 25 mcg Fentanyl to the patient and wasted 75 mcg of Fentanyl, without a
23 documented witness to the wastage.

24 2. On or about July 22, 2008, at 2:46 p.m., Respondent withdrew from Pyxis 2 mg
25 Versed for patient J.P. The physician's order was for 1 mg Versed. Respondent administered 1
26 mg Versed to the patient and wasted 1 mg of Versed, without a documented witness to the
27 wastage.

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1 R. Patient C.Q.

2 1. On or about July 23, 2008, at 12:00 p.m., Respondent withdrew from Pyxis 100 mcg
3 Fentanyl for patient J.P. when there was no physician's order for Fentanyl for this patient.
4 Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

5 2. On or about July 23, 2008, at 12:00 p.m., Respondent withdrew from Pyxis 2 mg
6 Versed for patient J.P. when there was no physician's order for Versed for this patient.
7 Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

8 S. Patient A.Z.

9 1. On or about July 23, 2008, at 1:29 p.m., Respondent withdrew from Pyxis 100 mcg
10 Fentanyl for patient A.Z. when there was no physician's order for Fentanyl for this patient.
11 Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

12 2. On or about July 23, 2008, at 1:30 p.m., Respondent withdrew from Pyxis 2 mg
13 Versed for patient A.Z. when there was no physician's order for Versed for this patient.
14 Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

15 T. Patient D.G.

16 1. On or about July 24, 2008, at 9:15 a.m., Respondent withdrew from Pyxis 100 mcg
17 Fentanyl for patient D.G. when there was no physician's order for Fentanyl for this patient.
18 Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

19 2. On or about July 24, 2008, at 9:15 a.m., Respondent withdrew from Pyxis 2 mg
20 Versed for patient D.G. when there was no physician's order for Versed for this patient.
21 Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

22 U. Patient J.G.

23 1. On or about July 25, 2008, at 8:40 a.m., Respondent withdrew from Pyxis 200 mcg
24 Fentanyl for patient J.G. The physician's order was for 50 mcg Fentanyl. Respondent
25 administered 50 mcg Fentanyl to the patient and wasted 150 mcg of Fentanyl, without a
26 documented witness to the wastage.

27 2. On or about July 25, 2008, at 8:40 a.m., Respondent withdrew from Pyxis 2 mg
28 Versed for patient J.G. The physician's order was for 0.5 mg Versed. Respondent administered

0.5 mg Versed to the patient and wasted 1.5 mg of Versed, without a documented witness to the wastage.

V. Patient N.C.

1. On or about August 6, 2008, at 12:13 p.m. and 12:45 p.m., Respondent withdrew from Pyxis 300 mcg Fentanyl and 100 mcg Fentanyl, respectively, for patient N.C. The physician's order was for 200 mcg Fentanyl. Respondent administered 25 mcg Fentanyl to the patient at 12:27 p.m. and 25 mcg Fentanyl at 12:38 p.m. Respondent wasted 200 mcg of Fentanyl and failed to chart or otherwise account for the remaining 150 mcg of Fentanyl. Respondent failed to administer the prescribed dosage of Fentanyl to patient N.C., without a documented witness to the wastage.

2. On or about August 6, 2008, at 12:13 p.m., Respondent withdrew from Pyxis 4 mg Versed for patient N.C. The physician's order was for 2 mg Versed. Respondent administered 1 mg Versed to the patient. Respondent wasted .5 mg of Versed, and failed to chart or otherwise account for the remaining 1.5 mg of Versed. Respondent failed to administer the prescribed dosage of Versed to patient N.C., without a documented witness to the wastage.

W. Patient Y.T.

1. On or about August 6, 2008, Respondent withdrew from Pyxis 100 mcg Fentanyl for patient Y.T. The physician's order was for 50 mcg Fentanyl. Respondent administered 50 mcg Fentanyl to the patient and wasted 50 mcg of Fentanyl, without a documented witness to the wastage. Respondent failed to complete the Procedural Sedation Sheet for this patient.

2. On or about August 6, 2008, Respondent withdrew from Pyxis 2 mg Versed for patient Y.T. The physician's order was for 0.5 mg Versed. Respondent administered 0.5 mg Versed to the patient and wasted 1.5 mg of Versed, without a documented witness to the wastage. Respondent failed to complete the Procedural Sedation Sheet for this patient.

X. Patient R.A.

1. On or about August 11, 2008, at 2:03 p.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for patient R.A. when there was no physician's order for Fentanyl for this patient. Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

1 Y. Patient T.W.

2 1. On or about August 11, 2008, at 11:17 a.m., Respondent withdrew from Pyxis 100
3 mcg Fentanyl for patient T.W. The physician's order was for 125 mcg Fentanyl. Respondent
4 administered 50 mcg Fentanyl to the patient and charted the wastage of 175 mcg of Fentanyl,
5 without a documented witness to the wastage. Respondent failed to administer the prescribed
6 dosage of Fentanyl to patient T.W. Respondent charted the wastage of more Fentanyl than was
7 withdrawn.

8 2. On or about August 11, 2008, at 11:03 a.m., Respondent withdrew from Pyxis 4 mg
9 Versed for patient T.W. The physician's order was for 1.5 mg Versed. Respondent administered
10 1 mg Versed to the patient and wasted 4.5 mg of Versed, without a documented witness as to the
11 wastage. Respondent failed to administer the prescribed dosage of Versed to patient T.W.
12 Respondent charted the wastage of more Versed than was withdrawn.

13 Z. Patient D.T.

14 1. On or about August 11, 2008, at 3:25 p.m., Respondent withdrew from Pyxis 100
15 mcg Fentanyl for patient D.T. when there was no physician's order for Fentanyl for this patient.
16 Respondent wasted 100 mcg of Fentanyl, without a documented witness as to the wastage.

17 2. On or about August 11, 2008, at 3:25 p.m., Respondent withdrew from Pyxis 2 mg
18 Versed for patient D.T. when there was no physician's order for Versed for this patient.
19 Respondent wasted 2 mg of Versed, without a documented witness as to the wastage.

20 AA. Patient D.B.

21 1. On or about August 12, 2008, at 1:44 p.m., Respondent withdrew from Pyxis 100
22 mcg Fentanyl for patient D.B. The physician's order was for 50 mcg Fentanyl. Respondent
23 administered 50 mcg Fentanyl to the patient and wasted 50 mcg of Fentanyl, without a
24 documented witness as to the wastage.

25 2. On or about August 12, 2008, at 1:44 p.m., Respondent withdrew from Pyxis 2 mg
26 Versed for patient D.B. The physician's order was for 1 mg Versed. Respondent administered 1
27 mg Versed to the patient and wasted 1 mg of Versed, without a documented witness as to the
28 wastage.

BB. Patient P.Y.

1. On or about August 12, 2008, at 10:05 a.m., Respondent withdrew from Pyxis 300 mcg Fentanyl for patient P.Y. The physician's order was for 50 mcg Fentanyl. Respondent administered 50 mcg Fentanyl to the patient and wasted 250 mcg of Fentanyl, without a documented witness as to the wastage.

2. On or about August 12, 2008, at 10:06 a.m., Respondent withdrew from Pyxis 4 mg Versed for patient P.Y. The physician's order was for 2 mg Versed. Respondent administered 2 mg Versed to the patient and wasted 2 mg of Versed, without a documented witness as to the wastage.

CC. Patient J.M.

1. On or about August 19, 2008, at 9:04 a.m., Respondent withdrew from Pyxis 200 mcg Fentanyl for patient J.M. The physician's order was for 25 mcg Fentanyl. Respondent administered 25 mcg Fentanyl to the patient and wasted 175 mcg of Fentanyl, without a documented witness as to the wastage.

2. On or about August 19, 2008, at 9:04 a.m., Respondent withdrew from Pyxis 2 mg Versed for patient J.M. The physician's order was for 0.5 mg Versed. Respondent administered 0.5 mg Versed to the patient and wasted 1.5 mg of Versed, without a documented witness as to the wastage.

DD. Patient M.R.

1. On or about August 25, 2008, at 3:21 p.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for emergency room (ER) patient M.R. when there was no physician's order for Fentanyl for this patient. Respondent failed to chart or otherwise account for the wastage of 100 mcg of Fentanyl.

2. On or about August 25, 2008, at 3:21 p.m., Respondent withdrew from Pyxis 2 mg Versed for ER patient M.R. when there was no physician's order for Versed for this patient. Respondent failed to chart or otherwise account for the wastage of 2 mg of Versed.

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EE. Patient D.B.

1. On or about August 25, 2008, at 12:12 p.m., Respondent withdrew from Pyxis 300 mcg Fentanyl for patient D.B. The physician's order was for 75 mcg Fentanyl. Respondent administered 75 mcg to the patient and wasted 225 mcg of Fentanyl, without a documented witness to the wastage.

2. On or about August 25, 2008, at 12:12 p.m., Respondent withdrew from Pyxis 4 mg Versed for patient D.B. The physician's order was for 1.5 mg Versed. Respondent administered 1.5 mg Versed to the patient and wasted 2.5 mg of Versed, without a documented witness to the wastage.

FF. Patient N.S.

1. On or about August 29, 2008, at 1:39 p.m., Respondent withdrew from Pyxis 200 mcg Fentanyl for patient N.S. The physician's order was for 100 mcg Fentanyl. Respondent administered 100 mcg Fentanyl to the patient and wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

2. On or about August 29, 2008, at 1:39 p.m., Respondent withdrew from Pyxis 4 mg Versed for patient N.S. The physician's order was for 1 mg Versed. Respondent administered 1 mg Versed to the patient and wasted 3 mg of Versed, without a documented witness to the wastage.

GG. Patient G.V.

1. On or about September 9, 2008, Respondent withdrew from Pyxis 400 mcg Fentanyl for patient G.V. The physician's order was for 275 mcg Fentanyl. Respondent administered 275 mcg Fentanyl to the patient and wasted 125 mcg of Fentanyl, without a documented witness to the wastage.

2. On or about September 9, 2008, Respondent withdrew from Pyxis 8 mg Versed for patient G.V. The physician's order was for 6.5 mg Versed. Respondent administered 6.5 mg Versed to the patient and wasted 1.5 mg of Versed, without a documented witness to the wastage.

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1 HH. Patient J.F.M.

2 1. On or about September 11, 2008, at 2:51 p.m., Respondent withdrew from Pyxis 100
3 mcg Fentanyl for patient J.F.M. when there was no physician's order for Fentanyl for this patient.
4 Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

5 2. On or about September 11, 2008, at 2:51 p.m., Respondent withdrew from Pyxis 2
6 mg Versed for patient J.F.M. when there was no physician's order for Versed for this patient.
7 Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

8 II. Patient C.C.

9 1. On or about September 18, 2008, at 12:43 p.m. and 12:59 p.m., Respondent withdrew
10 from Pyxis 100 mcg Fentanyl, respectively, for patient C.C. The physician's order was for 50
11 mcg Fentanyl. Respondent administered 50 mcg Fentanyl to the patient at 2:42 p.m. and wasted
12 150 mcg of Fentanyl, without a documented witness to the wastage.

13 2. On or about September 18, 2008, at 12:43 p.m., Respondent withdrew from Pyxis 2
14 mg Versed for patient C.C. The physician's order was for 0.5 mg Versed. Respondent
15 administered 0.5 mg to C.C. at 2:42 p.m., and wasted 1.5 mg of Versed, without a documented
16 witness to the wastage.

17 JJ. Patient A.P.

18 1. On or about September 18, 2008, at 12:43 p.m., Respondent withdrew from Pyxis 200
19 mcg Fentanyl for patient A.P. The physician's order was for 50 mcg Fentanyl. Respondent
20 administered 50 mcg Fentanyl to the patient and wasted 150 mcg of Fentanyl, without a
21 documented witness to the wastage.

22 2. On or about September 18, 2008, at 12:43 p.m., Respondent withdrew from Pyxis 2
23 mg Versed for patient A.P. The physician's order was for 1 mg Versed. Respondent
24 administered 1 mg Versed to the patient and wasted 1 mg of Versed, without a documented
25 witness to the wastage.

26 KK. Patient A.C.

27 1. On or about September 18, 2008, at 8:52 a.m., Respondent withdrew from Pyxis 200
28 mcg Fentanyl for patient A.C. The physician's order was for 150 mcg Fentanyl. Respondent

1 administered 50 mcg Fentanyl to the patient and wasted 150 mcg of Fentanyl, without a
2 documented witness to the wastage.

3 2. On or about September 18, 2008, at 8:52 a.m., Respondent withdrew from Pyxis 2 mg
4 Versed for patient A.C. The physician's order was for 1 mg Versed. Respondent administered 1
5 mg Versed to the patient and wasted 1 mg of Versed, without a documented witness to the
6 wastage.

7 LL. Patient S.N.

8 1. On or about September 19, 2008, at 10:03 a.m. and 10:48 a.m., Respondent withdrew
9 from Pyxis 200 mcg and 100 mcg Fentanyl, respectively, for patient S.N. The physician's order
10 was for 50 mcg Fentanyl. Respondent administered 50 mcg Fentanyl to the patient and wasted 50
11 mcg of Fentanyl. Respondent failed to chart or otherwise account for 250 mcg of Fentanyl.

12 2. On or about September 19, 2008, at 1:55 p.m., Respondent withdrew from Pyxis 4
13 mg Versed for patient S.N. The physician's order was for 2 mg Versed. Respondent
14 administered 2 mg Versed to the patient and wasted 2 mg of Versed, without a documented
15 witness to the wastage.

16 MM. Patient S.S.

17 1. On or about September 22, 2008, at 12:25 p.m., Respondent withdrew from Pyxis 100
18 mcg Fentanyl for patient S.S. when there was no physician's order for Fentanyl for this patient.
19 Respondent wasted 100 mcg of Fentanyl, without a documented witness to the wastage.

20 2. On or about September 22, 2008, at 12:26 p.m., Respondent withdrew from Pyxis 2
21 mg Versed for patient S.S. when there was no physician's order for Versed for this patient.
22 Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

23 NN. Patient F.P.

24 1. On or about September 22, 2008, at 2:39 p.m., Respondent withdrew from Pyxis 4
25 mg Versed for patient F.P. The physician's order was for 2 mg Versed. Respondent administered
26 2 mg Versed to the patient and wasted 2 mg of Versed, without a documented witness to the
27 wastage.

28 ///

2. On or about September 22, 2008, at 2:39, Respondent withdrew from Pyxis 200 mcg Fentanyl for patient F.P. The physician's order was for 75 mcg Fentanyl. Respondent administered 75 mcg Fentanyl to the patient and wasted 125 mcg of Fentanyl, without a documented witness to the wastage.

OO. Patient F.C.

1. On or about September 22, 2008, at 8:14 a.m., Respondent withdrew from Pyxis 200 mcg Fentanyl for patient F.C. The physician's order was for 75 mcg Fentanyl. Respondent administered 75 mcg Fentanyl to the patient and wasted 125 mcg of Fentanyl, without a documented witness to the wastage.

2. On or about September 22, 2008, at 8:15 a.m., Respondent withdrew from Pyxis 4 mg Versed for patient F.C. The physician's order was for 3 mg Versed. Respondent administered 3 mg Versed to the patient and wasted 1 mg of Versed, without a documented witness to the wastage.

PP. Patient N.C.

1. On or about September 23, 2008, Respondent withdrew from Pyxis 200 mcg Fentanyl for patient N.C. when there was no physician's order for Fentanyl for this patient. Respondent wasted 200 mcg of Fentanyl, without a documented witness to the wastage.

2. On or about September 23, 2008, Respondent withdrew from Pyxis 2 mg Versed for patient N.C. when there was no physician's order for Versed for this patient. Respondent wasted 2 mg of Versed, without a documented witness to the wastage.

QQ. Patient D.G.

1. On or about September 25, 2008, at 10:48 a.m., Respondent withdrew from Pyxis 100 mcg Fentanyl for patient D.G. The physician's order was for 25 mcg Fentanyl. Respondent administered 25 mcg Fentanyl to the patient and wasted 75 mcg of Fentanyl, without a documented witness to the wastage.

2. On or about September 25, 2008, at 10:49 a.m., Respondent withdrew from Pyxis 2 mg Versed for patient D.G. The physician's order was for 1 mg Versed. Respondent

1 administered 1 mg Versed to the patient and wasted 1 mg of Versed, without a documented
2 witness to the wastage.

3 RR. Patient K.C.

4 1. On or about September 29, 2008, Respondent withdrew from Pyxis 4 mg Versed for
5 patient K.C. The physician's order was for 3 mg Versed. Respondent administered 3 mg Versed
6 to the patient and wasted 1 mg of Versed, without a documented witness to the wastage.

7 2. On or about September 29, 2008, Respondent administered 100 mcg Fentanyl to
8 patient K.C., pursuant to physician's orders. Records do not indicate that Respondent withdrew
9 from Pyxis, 100 mcg Fentanyl for patient K.C.

10 SS. Patient J.M.

11 1. On or about September 29, 2008, at 2:09 p.m., Respondent withdrew from Pyxis 200
12 mcg Fentanyl for patient J.M. The physician's order was for 100 mcg Fentanyl. Respondent
13 administered 100 mcg Fentanyl to the patient and wasted 100 mcg of Fentanyl, without a
14 documented witness to the wastage.

15 2. On or about September 29, 2008, at 2:09 p.m., Respondent withdrew from Pyxis 4
16 mg Versed for patient J.M. The physician's order was for 3.5 mg Versed. Respondent
17 administered 3.5 mg Versed to the patient and wasted 0.5 mg Versed, without a documented
18 witness to the wastage.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct – Gross Negligence)**

21 14. Respondent has subjected his license to disciplinary action under section 2761,
22 subdivision (a)(1) on the grounds of gross negligence based on the acts and/or omissions set forth
23 in paragraph 13, above.

24 **THIRD CAUSE FOR DISCIPLINE**

25 **(Unprofessional Conduct – Incompetence)**

26 15. Respondent has subjected his license to disciplinary action under section 2761,
27 subdivision (a)(1) on the grounds of incompetence based on the acts and/or omissions set forth in
28 paragraph 13, above.

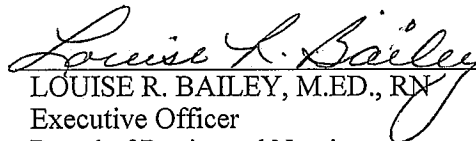
PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 390851, issued to Jeffrey Grant Heuser;
2. Ordering Jeffrey Grant Heuser to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: _____

9/16/11


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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